

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**MARK A. WOOLLEY,**

**Plaintiff,**

**v.**

**COMMONWEALTH OF  
PENNSYLVANIA, et al.,**

**Defendants.**

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**CIVIL NO. 3:CV-03-1031**

**(JUDGE CAPUTO)**

**ORDER**

Plaintiff, Mark A Woolley, currently detained at Danville State Hospital in Danville, Pennsylvania, commenced this *pro se* action with a complaint filed pursuant to the provisions of 42 U.S.C. § 1983. Presently before the Court is Plaintiff's motion for summary judgment (Doc. 72) and Plaintiff's motion for extension of time (Doc. 79) to file a supplemental brief in support of his motion for summary judgment. Under Federal Rule of Civil Procedure 56(c), summary judgment may be entered only "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." The party moving for summary judgment has the burden of proving that there is no genuine issue of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 322-23 (1986). Since Plaintiff has failed to file a statement of undisputed material facts, as required by M.D.Pa.L.R. 56.1, his motion for summary judgment will be denied, and Plaintiff's motion for enlargement to file a supplemental brief will be dismissed as moot.

**ACCORDINGLY, THIS 6<sup>th</sup> DAY OF JANUARY, 2006**, Plaintiff's motion for summary judgment (Doc. 72) is **DENIED**, and Plaintiff's motion for enlargement of time to file a supplemental brief in support of summary judgment (Doc. 79) is **DISMISSED** as moot.

/s/ A. Richard Caputo  
A. RICHARD CAPUTO  
United States District Judge